

CHAPTER 224
DISCIPLINE FOR PODIATRISTS

[Prior to 2/6/02, see 645—Chapter 220]

645—224.1(272C) Discipline. For all acts and offenses listed in this rule, the board may impose any of the disciplinary methods outlined in Iowa Code section 272C.3(2) “a” to “f” including the imposition of a civil penalty which shall not exceed \$1000. The board may discipline a licensee for any of the following reasons:

224.1(1) All grounds listed in Iowa Code section 147.55 which are:

- a. Fraud in procuring a license.
- b. Professional incompetence.
- c. Knowingly making misleading, deceptive, untrue or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established.

- d. Habitual intoxication or addiction to the use of drugs.

- e. Conviction of a felony related to the profession of the licensee or the conviction of any felony that would affect the licensee’s ability to practice within the profession. A copy of the record of conviction or a plea of guilty shall be conclusive evidence.

- f. Fraud in representations as to skill or ability.

- g. Use of untruthful or improbable statements in advertisements.

- h. Willful or repeated violations of the provisions of Iowa Code chapter 147.

224.1(2) Violation of the rules promulgated by the board.

224.1(3) Inability to practice podiatry with reasonable skill and safety by reason of illness, excessive use of alcohol, drugs, narcotics, chemicals, or other type of material or as a result of a mental or physical condition.

224.1(4) Practicing the profession while the license is suspended.

224.1(5) Suspension or revocation of license by another state.

224.1(6) Negligence by the licensee in the practice of the profession, which is a failure to exercise due care including negligent delegation to or supervision of employees or other individuals, whether or not injury results; or any conduct, practice or conditions which impair the ability to safely and skillfully practice the profession.

224.1(7) Prohibited acts consisting of the following:

- a. Permitting an unlicensed employee or person under the licensee’s control to perform activities requiring a license.

- b. Permitting another person to use the licensee’s license for any purpose.

- c. Practicing outside the scope of a license.

- d. Obtaining, possessing, or attempting to obtain or possess a controlled substance without lawful authority; or selling, prescribing, giving away, or administering controlled substances for other than lawful therapeutic purposes.

- e. Verbally or physically abusing patients.

224.1(8) Unethical business practices, consisting of any of the following:

- a. False or misleading advertising.

- b. Betrayal of a professional confidence.

- c. Falsifying patients’ records.

224.1(9) Failure to report a change of name or address within 30 days after it occurs.

224.1(10) Submission of a false report of continuing education or failure to submit the biennial report of continuing education.

224.1(11) Failure to notify the board within 30 days after occurrence of any judgment or settlement of a malpractice claim or action.

224.1(12) Failure to comply with a subpoena issued by the board.

224.1(13) Failure to report to the board as provided in these rules any violation by another licensee of the reasons for disciplinary action as listed in this rule.

224.1(14) Failure to comply with these rules for preventing HIV and HBV transmission.

224.1(15) Failure to comply with an order of the board requiring a physician to submit to evaluation under Iowa Code section 272C.9(1).

224.1(16) Indiscriminately or promiscuously prescribing, administering or dispensing any drug for other than lawful purpose.

a. Self-prescribing or self-dispensing controlled substances.

b. Prescribing or dispensing controlled substances to members of the licensee's immediate family for an extended period of time.

(1) Prescribing or dispensing controlled substances to members of the licensee's immediate family is allowable for an acute condition or on an emergency basis when the physician conducts an examination, establishes a medical record, and maintains proper documentation.

(2) Immediate family includes spouse or life partner, natural or adopted children, grandparent, parent, sibling, or grandchild of the physician; and natural or adopted children, grandparent, parent, sibling, or grandchild of the physician's spouse or life partner.

c. Prescribing or dispensing controlled substances outside the scope of the practice of podiatry.

This rule is intended to implement Iowa Code chapters 147, 149, and 272C.

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